

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1084.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF COFFEE.

On November 9, 1910, and December 31, 1910, the United States Attorney for the Eastern District of Louisiana, acting upon the report of the Secretary of Agriculture, filed in the District Court of the United States for said district, respectively, a libel and an amended libel praying condemnation and forfeiture of 74 sacks of coffee in the possession of Leon Israel & Bros., New Orleans, La. The product was labeled, "L. I. & B., New Orleans, La.—H. M. B., Kx Br."

Examination of samples of this product, made by the Bureau of Chemistry, United States Department of Agriculture, showed it to consist of South American coffee which had been sweated and treated in such a manner as to be an imitation of Dutch East India coffee. The libel as amended alleged that the coffee, after shipment by Leon Israel & Bros., New York City, from the State of New York into the State of Louisiana, remained in the original unbroken packages, and was adulterated and misbranded in violation of the Food and Drugs Act of June 30, 1906. Adulteration was charged because the coffee was colored in a manner whereby its inferiority was concealed and because valuable constituents had been in part abstracted therefrom. Misbranding was charged because the product was an imitation of and offered for sale under the distinctive name of another article, to wit, Kroe Extra Brown Coffee, and further because said coffee was labeled and branded so as to deceive and mislead the purchaser, being branded "Kx Br."

On March 15, 1911, the jury returned a verdict of guilty. On March 16, 1911, the court entered its decree, condemning and for-

feiting 66 sacks of the product, the same being all that was found at the time of seizure, to the use of the United States, as being adulterated and misbranded, as charged in the above libel and amended libel, and ordering that the said coffee be disposed of by sale, provided, however, that the same should be returned to the claimants upon the execution and delivery of a good and sufficient bond to the effect that the said coffee should not be sold or otherwise disposed of contrary to law.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *August 24, 1911.*

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